

Entered - 08/01/02 - sb
CL02L0513 - DIANNE C. MITCHELL

**CLAIM OF: MONESIA YOUNGBLOOD
AND JOHN ARNOLD,
parents and legal guardian
of Corey Ward, deceased,
through their attorney,
Shean D. Williams
127 Peachtree Street, NE
Atlanta, Georgia 30303**

03- R-0020

For damages alleged to have been sustained as a result of the wrongful death of the claimants's son on July 14, 2002 at 3215 Peachtree Road, NE.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT

COMM: Public Safety

DATE: 6-14-03

CHAIR: 

J. Leonard P.
 Mary Leonard
 Clara Thinsley

10.14/26/03

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0513

Date: December 12, 2002

Claimant /Victim MONESIA YOUNGBLOOD AND JOHN ARNOLD, parents and legal guardian of Corey Ward, deceased

BY: (Atty) Shean D. Williams

Address: 127 Peachtree Street, NE, Atlanta, Georgia 30303

Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated

Date of Notice: 07/24/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/14/02 Place: 3215 Peachtree Road, NE

Department Police Division:

Employee involved Officers R. S. Bunn and T. L. Mulkey Disciplinary Action:

NATURE OF CLAIM: The claimants allege that their son was wrongfully shot and killed by police. However, the claimants have filed a lawsuit to resolve the issues raised in their claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

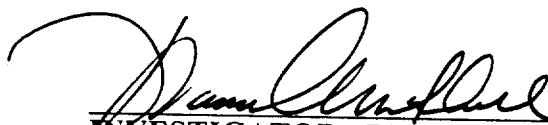
Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager:  Concur/date 01-02-03

Committee Action: Council Action

Police
Mitchell
07/25/02
[Signature]

THE COCHRAN FIRM
COCHRAN, CHERRY, GIVENS, SMITH & SISTRUNK, P.C.

ATLANTA, GEORGIA

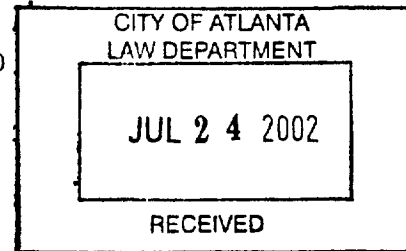
ENTERED - 8-1-02 - SB

02L0513 - DIANNE MITCHELL

127 PEACHTREE STREET, NE
ATLANTA, GEORGIA 30303

(404) 222-9922 • FAX: (404) 222-0170

July 23, 2002



CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

Honorable Mayor Shirley Franklin
55 Trinity, SW
Suite 2900
Atlanta, Georgia 30335

Cathy Woolard, Chairperson of City Council
55 Trinity, SW
Suite 2900
Atlanta, Georgia 30335

Chief Richard J. Pennington
Atlanta Police Department
675 Ponce de Leon Avenue
Atlanta, Georgia 30328

Rosalind Rubens Newell, Esq.
City Attorney
68 Mitchell Street, SW
Suite 4100
Atlanta, Georgia 30335

RE: Notice of Injury and Claim against the City of Atlanta, Georgia

Dear Ladies and Gentleman:

Pursuant to O.C.G.A. § 36-33-5(b) and 36-1-1, this notice is to advise you that we have been retained by Monesia Youngblood and John Arnold, the parents and legal guardian of Corey Ward, who was brutally shot to death by a City of Atlanta Police Officer on or about July 14, 2002. As a result of this tragedy, Monesia Youngblood and John Arnold intend to file a lawsuit against the City of Atlanta, its police department and Officers R. S. Bunn and T. L. Mulkey, Jr. for the wrongful death of Corey Ward that occurred on July 14, 2002.

On the early morning of July 14, 2002, Corey Ward along with his friends was lawfully leaving a parking lot in Buckhead Atlanta in route home after socializing with friends. At the same time, Officers R. S. Bunn and T. L. Mulkey, Jr. drove up on Mr. Ward and his friends and pulled out firearms without identifying themselves as police officers. Without legal justification or probable cause, Officer R. S. Bunn immediately discharged his firearm at Mr. Ward. Based on our investigation, Officers R. S. Bunn and T. L. Mulkey's behavior constitutes a conscious disregard for the safety of others as well as an intentional violation of Mr. Ward's civil rights during the course of their duties as officers. Consequently, the City of Atlanta and its police department are vicariously liable for the consequences of these officers' reckless behavior.

THE COCHRAN FIRM
COCHRAN, CHERRY, GIVENS, SMITH & SISTRUNK, P.C.

RE: Notice of Injury and Claim against the City of Atlanta, Georgia

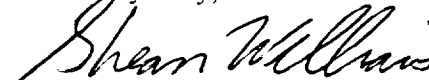
July 23, 2002

Page 2

Please allow this letter to serve as notice of the above-referenced claim and demand for compensation for the wrongful death, pain and suffering, and all special damages incurred by Monesia Youngblood and John Arnold as a result of this matter.

If you have any questions, please do not hesitate to contact me.

Yours very truly,


Shean D. Williams, Esq.

SDW/klo
6100.3260

03-R-0020